

IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

DEILA C. JOHNSON  
P.O. BOX 6213  
LARGO, MD 20792

Plaintiff,

v.

Case No. \_\_\_\_\_

LOWE'S HOME IMPROVEMENT  
1605 CURTIS BRIDGE ROAD  
WILKSBORO, NC 28697

Serve: CSC-LAWYERS INCORPORATING  
SERVICE COMPANY  
7 ST. PAUL STREET, SUITE 820  
BALTIMORE, MD 21202

Defendant.

COMPLAINT

The Plaintiff, Della Johnson (hereinafter "Johnson"), by her attorneys, Maria K. Patterson and Patterson Law, LLC, files suit for personal injuries and state as follows:

PARTIES

1. Johnson, Plaintiff, is a resident of Prince George's County, Maryland.
2. Lowe's Home Improvement (hereinafter "Lowe's"), Defendant, has its headquarters in North Carolina and regularly conducts business in Prince George's County, Maryland.

JURISDICTION

3. This Court has subject matter jurisdiction over this action pursuant to § 1-501 of the Courts and Judicial Proceedings Article of the Maryland Code.
4. This Court has personal jurisdiction over Defendant pursuant to § 6-102(a) of the Courts and Judicial Proceedings Article of the Maryland Code in that

FILED  
CIRCUIT COURT  
12 FEB 12 PM 2:01  
PR GEORGE CO MD #55

Defendant maintains its principal place of business in the State of Maryland.

5. This Court has personal jurisdiction over all remaining Defendants pursuant to § 6-103(b)(1) of the Courts and Judicial Proceedings Article of the Maryland Code in that Defendant transacts business in the state of Maryland.

6. This Court is the proper venue for this matter pursuant to § 6-201(b) of the Courts and Judicial Proceedings Article of the Maryland Code in that the cause of action arose in Prince George's County, Maryland.

#### **STATEMENT OF FACTS**

7. On or about April 7, 2018, while the Plaintiff, Johnson, was an invitee, when she fell in the aisle of the retail property located at 16301 Heritage Boulevard, Bowie, Maryland 20716, Lowe's Home Improvement store. She was looking at merchandise displayed in the aisle when she tripped and fell on a pallet of boxes containing a customer's order located in the aisle way.

8. Defendant Lowe's manages, leases and/or owns the commercial properties and exercised control over the property referenced in the Complaint including the subject aisles and/or walkways that was for use of the lessees' and its business invitees.

9. Plaintiff Johnson did not know that the aisles had a pallet of boxes located in the aisle ways when she tripped and fell, seriously injuring herself. Plaintiff was an invitee of the property owned, managed and maintained by the Defendant. The Defendants had a duty to use reasonable and ordinary care to maintain the premises safely for Plaintiff Johnson, and to protect the Plaintiff against injury caused by an unreasonable risk, which she by exercising ordinary care, could not discover.

10. Defendant's agents and/or employees negligently designed and/or maintained the aisles, or in the alternative, failed to remove any tripping hazards in the aisles.

11. The Defendant negligently maintained, inspected, and designed the area of the fall in the aisles.

12. Defendant's employees and/or agents failed to notice the pallets of boxes, or in the alternative, failed to properly mark the tripping hazard for customers, and otherwise failed to warn customers of the pallets/boxes.

13. Defendant's agents and/or employees had a duty to remove the dangerous condition, not cause the dangerous condition and to place warning signs or reasonably warn regarding the dangerous condition.

14. Defendant owed a duty to the Plaintiff, Johnson, to maintain the aisles and/or walkways in a safe manner. Said Defendant had knowledge, actual and/or constructive of said dangerous conditions and failed to remedy same, including but not limited to failing to properly inspect the aisles and/or walkways for tripping hazards expeditiously, and/or failing to warn Plaintiff of the dangerous condition of the premises, failing to properly inspect the premises, thereby causing the ensuing incident.

15. At all times in question, the Plaintiff, Johnson, acted in a careful and prudent manner, without any negligence contributing to the resultant accident.

**COUNT ONE**  
**Negligence**

16. Plaintiff hereby repeats and realleges, as though set forth fully herein, the allegations contained in Paragraphs 1 through 15 of this Complaint.

17. As a direct and proximate result of the aforesaid accident, which was caused by the negligence of the Defendant Lowe's, the Plaintiff, Johnson, who was at all times exercising due care, suffered severe pain and permanent injuries to her body, which has caused and will continue to cause her great pain and mental anguish.

18. The Defendant failed to remedy and/or warn the Plaintiff of the tripping hazard in the aisles and/or walkways on Defendant's premises.

19. As a further direct and proximate result of the aforesaid negligence of the Defendant, Lowe's, the Plaintiff, Johnson, has been forced to expend and will continue to expend large sums of money for hospitalization, x-rays, doctors, nurses, medical treatment, and medicine for treatment of the aforesaid injuries to herself.

20. As a further direct result of the negligence of Defendant Lowe's, the Plaintiff, Johnson, was forced to lose time from her employment and has suffered a loss of wages as well as a loss of wage earning capacity for which she seeks remuneration.

Wherefore, the Plaintiff, Deila Johnson, seeks judgment against Defendant Lowe's Home Improvement in an amount in excess of Seventy-Five Thousand Dollars (\$75,000.00), plus interest and costs of this suit.

Respectfully submitted by,



Maria K. Patterson, Esquire  
PATTERSON LAW, LLC  
1 Willow Street  
Annapolis, MD 21401  
301-383-1522/240-206-9398 (fax)  
*Counsel for Plaintiff*

IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

DEILA C. JOHNSON  
P.O. BOX 6213  
LARGO, MD 20792

Plaintiff,

v.

LOWE'S HOME IMPROVEMENT  
1605 CURTIS BRIDGE ROAD  
WILKSBORO, NC 28697

Serve: CSC-LAWYERS INCORPORATING  
SERVICE COMPANY  
7 ST. PAUL STREET, SUITE 820  
BALTIMORE, MD 21202

Defendant.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Case No. \_\_\_\_\_

PRAYER FOR JURY TRIAL

The Plaintiff, Della Johnson, elects that all factual issues be tried by a jury.

Respectfully submitted by,



Maria K. Patterson, Esquire  
PATTERSON LAW, LLC  
1 Willow Street  
Annapolis, MD 21401  
301-383-1522/240-206-9398 (fax)  
Counsel for Plaintiff

CLERK OF THE  
CIRCUIT COURT  
2021 FEB 12 PM 2:07  
PR GEO CO MD #55